

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMY VIKLUND, individually and on
behalf of her minor child, T. V.,

Plaintiffs,

V.

WASHINGTON STATE
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, LATIA RAY,
KIMBERLY ATCHLEY, DAN
SCHNEIDER, JENNIFER STRUS,
and DEFENDANTS JANE DOES I-
IX,

Defendants.

No. 2:18-cv-00240-RAJ

PROPOSED ORDER APPROVING SETTLEMENT

The Court GRANTS Plaintiffs' Motion for Approval of Minor Settlement on Behalf of Minor Child, T.V., as follows:

1. The proposed settlement as set forth in the Motion for Approval of Minor Settlement is approved;
 2. The Guardian Ad Litem or T.V.'s parent, Amy Viklund, is authorized to execute releases of T.V.'s claim upon payment by Defendants into plaintiffs' counsel's trust account the sum of \$94,200.00;

- 1 3. The costs and attorney fees incurred herein are found to be reasonable
2 and approved as follows:
- 3 a. Attorney fees: \$12,000.00
- 4 b. Costs: \$4,285.62
- 5 4. The Settlement Guardian Ad Litem's fees and costs in the amount of
6 \$3,325.00 are found to be reasonable and are approved, to be paid
7 from the settlement proceeds.
- 8 5. Plaintiffs' attorney is authorized to establish a Self-Settled Individual
9 Trust Account through the Arc Washington State Developmental
10 Disabilities Endowment Trust Fund (the "Trust Fund") on behalf of
11 Plaintiff T.V.
- 12 6. The Trust Fund's enrollment fee in the amount of \$600.00 shall be
13 paid from the settlement funds. The net settlement (\$73,989.38) shall
14 be paid to the Trust Fund and held in the individual trust account for
15 Plaintiff T.V.
- 16 7. Plaintiffs' attorney is authorized to assist Plaintiff Amy Viklund in
17 completing the necessary paperwork to establish the individual trust
18 account on behalf of Plaintiff T.V.
- 19 8. The Court approves of the deposit of trust funds for the benefit of the
20 Plaintiff to be administered in accordance with the terms of the
21 Developmental Disabilities Endowment Fund Amended and Restated
22 Trust II Agreement dated December 2, 2010. A copy of said
23 Agreement has been previously provided herein as an attachment to
24 the Report of the Settlement Guardian ad Litem filed on September 16,
25 2019.
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- 1 9. The Trust Fund is authorized to charge fees for administration of the
2 individual trust account pursuant to its schedule of fees and is
3 authorized to take payment of fees against the individual trust account.
- 4 10. The Trustee of the individual trust account shall not be required to
5 furnish any bond for the performance of the Trustee's duties.
- 6 11. Plaintiffs' attorney shall file a Receipt of Trustee acknowledging the
7 receipt of the remaining settlement amount of \$73,989.38 into an
8 individual trust account through the Arc Washington State
9 Developmental Disabilities Endowment Trust Fund within sixty (60)
10 days of this Order.
- 11 12. The Settlement Guardian Ad Litem is discharged upon completion of
12 the requirements stated above.